

Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to PREPA.

**ORDER GRANTING FIVE HUNDRED THIRTY-SECOND OMNIBUS OBJECTION
(SUBSTANTIVE) OF THE PUERTO RICO ELECTRIC POWER AUTHORITY TO
MISCLASSIFIED CLAIMS**

Upon the *Five Hundred Thirty-Second Omnibus Objection (Substantive) of the Puerto Rico Electric Power Authority to Misclassified Claims* [ECF No. 22268] (the “Five Hundred Thirty-Second Omnibus Objection”)² of the Puerto Rico Electric Power Authority (“PREPA”), dated September 16, 2022, for entry of an order reclassifying certain claims filed against PREPA, as more fully set forth in the Five Hundred Thirty-Second Omnibus Objection

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations)

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Five Hundred Thirty-Second Omnibus Objection.

and supporting exhibits thereto; and the Court having jurisdiction to consider the Five Hundred Thirty-Second Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Five Hundred Thirty-Second Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the claims identified in the column titled “Claims to be Reclassified” in Exhibit A to the Five Hundred Thirty-Second Omnibus Objection (collectively, the “Claims to Be Reclassified”) asserting an incorrect or improper priority or classification, as set forth in Exhibit A hereto; and the Court having determined that the relief sought in the Five Hundred Thirty-Second Omnibus Objection is in the best interest of PREPA and its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Five Hundred Thirty-Second Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Five Hundred Thirty-Second Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the Claims to Be Reclassified are hereby reclassified, such that the Claims to Be Reclassified shall now only be considered claims asserted in the priority set forth in the column titled “Modified Claim” in Exhibit A to the Five Hundred Thirty-Second Omnibus Objection, respectively; and it is further

ORDERED that the Debtors’ right to object to the Claims to Be Reclassified is reserved; and it is further

ORDERED that Prime Clerk is authorized and directed to correct the Claims to Be Reclassified to reflect their status as general unsecured claims and administrative claims, as applicable, on the official claims register in the Title III Cases; and it is further

ORDERED that this Order resolves Docket Entry No. 22268 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED

Dated: _____

Honorable Judge Laura Taylor Swain
United States District Judge

EXHIBIT A

Schedule of Claims Subject to the Five Hundred Thirty-Second Omnibus Objection

FIVE HUNDRED THIRTY-SECOND OMNIBUS OBJECTION

Exhibit A – Claims to Be Reclassified

CLAIMS TO BE RECLASSIFIED					MODIFIED CLAIMS		
NAME	CLAIM #	DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT
4 PPG ARCHITECTURAL COATINGS PUERTO RICO PO BOX 9179 CAROLINA, PR 00987	14360	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$3,475.00	PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$77,039.96
		PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$73,564.96			
			Subtotal	\$77,039.96			

Reason: Claimant asserts that a portion of their claim is entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9). However, the invoices attached in support of the claim either assert liability for maintenance services that are not entitled to administrative expense priority, or otherwise fall outside the 20-day window for eligibility under 11 U.S.C. § 503(b)(9). Upon review of its books and records, PREPA has concluded that the claim is not entitled to administrative expense priority and should appropriately be classified as a general unsecured claim.

5 SEPTIX PO BOX 490 MERCEDITA PONCE, PR 00715-0490	9646	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$995.20	PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$995.20
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Reason: Claimant asserts that their claim is secured and/or that they are entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9) or other priority pursuant to 11 U.S.C. § 507(a). However, based on PREPA's books and records, PREPA has concluded that the claim is not entitled to either administrative expense priority, priority, or secured status, and should appropriately be classified as a general unsecured claim.

6 TECHNICAL MAINTENANCE SERVICES PO BOX 3826 GUAYNABO, PR 00970	29658	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$6,724.00	PUERTO RICO ELECTRIC POWER AUTHORITY	Admin	\$6,724.00
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Reason: Claimant asserts that their claim is entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9). However, based on PREPA's books and records, PREPA has concluded that the claim is entitled to administrative expense priority and should be classified as such.

* - Indicates claim contains unliquidated and/or undetermined amounts.

FIVE HUNDRED THIRTY-SECOND OMNIBUS OBJECTION

Exhibit A – Claims to Be Reclassified

CLAIMS TO BE RECLASSIFIED					MODIFIED CLAIMS		
NAME	CLAIM #	DEBTOR	PRIORITY STATUS	AMOUNT	DEBTOR	PRIORITY STATUS	AMOUNT
7 TECHNICAL MAINTENANCE SERVICES PO BOX 3826 GUAYNABO, PR 00970	31326	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$30,025.00	PUERTO RICO ELECTRIC POWER AUTHORITY	Admin	\$30,025.00
Reason: Claimant asserts that their claim is entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9). However, based on PREPA's books and records, PREPA has concluded that the claim is entitled to administrative expense priority and should be classified as such.							
8 WDC PUERTO RICO INC. PO BOX 309 CAGUAS, PR 00726	31766	PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$146,709.67	PUERTO RICO ELECTRIC POWER AUTHORITY	Admin	\$88,533.75
					PUERTO RICO ELECTRIC POWER AUTHORITY	503(b)(9)	\$38,507.28
					PUERTO RICO ELECTRIC POWER AUTHORITY	Unsecured	\$19,668.64
					Subtotal		\$146,709.67

Reason: Claimant asserts that their claim is entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9). However, based on PREPA's books and records, PREPA has concluded that (i) a portion of the claim is entitled to administrative expense priority and should be classified as such, (ii) another portion of the claim is entitled to administrative expense priority pursuant to 11 U.S.C. § 503(b)(9), and (iii) another portion is not entitled to either administrative expense priority, priority, or secured status, and should appropriately be classified as a general unsecured claim.

* - Indicates claim contains unliquidated and/or undetermined amounts.